

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

DATATREASURY CORPORATION,

Plaintiff,

v.

WELLS FARGO & COMPANY, et al.,

Defendants.

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CIVIL ACTION NO. 2:06-CV-72 DF

ORDER

This case has been previously set for a “Phase III” trial in October 2010. *See* 1/19/2010 Order, Dkt. No. 1870; *see also* 7/27/2010 Amended Docket Control Order for Phase III Trial, Dkt. No. 2268. The Court previously set an Initial Pretrial Conference for September 30, 2010. 8/19/2010 Order, Dkt. No. 2294. At the Initial Pretrial Conference, the parties should be prepared to discuss motions *in limine*, especially the following *in limine* items:

- These topics in Plaintiff’s Motion in Limine (Dkt. No. 2306): **38** (PX948); **42** (withdrawn claims); **43** (non-accused systems); **44** (*KSR*); **45** (criminal conduct); **53** (PTO workload); **55** (number of prior art references); **57** (offers for sale less than one year before filing); **58** (confidential offers).
- These topics in Defendants’ Omnibus Motion in Limine (Dkt. No. 2311): **1a/1b** (litigation-related licenses); **2a** (Skadden letter); **2b** (prior litigation, consent judgments); **3** (Phase I outcome); **9d** (bonuses, pay); **11b/11c** (duties and effect of corporate representative testimony at trial); **16** (data security); **20** (PX948); **26** (claim construction argument); **27** (indemnity).

IT IS SO ORDERED.

SIGNED this 28th day of September, 2010.



DAVID FOLSOM

UNITED STATES DISTRICT JUDGE